

him that those he loved remained yet to cheer his ruined fortunes

No pen can do justice to the feelings of gratitude which throbbled in the bosom of that father as he pressed his wife and children successively to his heart. His plans were soon laid. He had, by remittances to England on the outbreak of the war, provided his family against want, and thither they now bent their steps.—Over his ruined country he shed many a tear, but, at such times, the smiles of his wife and children were ever ready to cheer his despondency; and as he gazed on his lovely family he felt that there was much yet in this world to bid him be happy.

Proposed Constitution OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

We, the people of the State of Rhode Island and Providence Plantations, grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and to transmit the same, unimpaired to succeeding generations, do ordain and establish this constitution of Government.

Article First. Declaration of certain Constitutional Rights and Principles.

In order effectually to secure the religious and political freedom established by our venerated ancestors, and to preserve the same for our posterity, we do declare that the essential and unquestionable rights and principle herein-after mentioned, among others, shall be established, maintained, and preserved, and shall be of paramount obligation in all legislative, judicial and executive proceedings.

Section 1. In the words of the Father of his Country, we declare, that "the basis of our political systems is the right of the people to make and alter their constitutions of government; but that the constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all."

Sec. 2. All free governments are instituted for the protection, safety, and happiness of the people. All laws, therefore, should be made for the good of the whole; and the burdens of the State ought to be fairly distributed among its citizens.

Sec. 3. Whereas, Almighty God hath created the mind free; and all attempts to influence it by temporal punishments or burthens or by civil incapacitations, tends to beget habits of hypocrisy and meanness; and whereas a principal object of our venerated ancestors, in their migration to this country and their settlement of this State, was, as they expressed it, to hold forth a lively experiment that a flourishing civil State may stand and be best maintained with full liberty in religious concerns; we, therefore, declare, that no man shall be compelled to frequent or to support any religious worship, place or ministry whatever, except in fulfillment of his own voluntary contract; nor enforced, restrained, molested or burthened in his body or goods; nor disqualified from holding any office; nor otherwise suffer on account of his religious belief; and that every man shall be free to worship God according to the dictates of his own conscience, and to profess and by argument to maintain his opinion in matters of religion; and that the same shall in no wise diminish, enlarge or affect his civil capacity.

Sec. 4. Slavery shall not be permitted in this State.

Sec. 5. Every person within this State ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without purchase, completely and without denial; promptly and without delay; conformably to the laws.

Sec. 6. The right of the people to be secure in their persons, papers, and possessions, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but on complaint in writing, upon probable cause, supported by oath or affirmation, and describing as nearly as may be, the place to be searched, and the persons or things to be seized.

Sec. 7. No person shall be held to answer for a capital or other infamous crime, unless on presentment or indictment by a grand jury, except in cases of impeachment, or of such offences as are usually cognizable by a justice of the peace; or in cases arising in land or naval forces, or in the militia, when in actual service in time of war or public danger. No person shall, after an acquittal, be tried for the same offence.

Sec. 8. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted, and all punishments ought to be proportioned to the offence.

Sec. 9. All persons imprisoned ought to be bailable by a sufficient surety, unless for offences punishable by death or by imprisonment for life, when the proof of guilt is evident, or the presumption great. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety shall require it; nor ever without the authority of the General Assembly.

Sec. 10. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial

jury; to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining them in his favor, to have the assistance of counsel in his defence, and shall be at liberty to speak for himself; nor shall he be deprived of life, liberty, or property, unless by the judgement of his peers, or the law of the land.

Sec. 11. The person of a debtor, when there is not strong presumption of fraud, ought not to be continued in prison, after he shall have delivered up his property for the benefit of his creditors, in such manner as shall be prescribed by law.

Sec. 12. No ex post facto law, or law impairing the obligation of contracts, shall be passed.

Sec. 13. No man in a court of common law shall be compelled to give evidence criminating himself.

Sec. 14. Every man being presumed innocent, until he is pronounced guilty by the law, no act of severity which is not necessary to secure an accused person, shall be permitted.

Sec. 15. The right of trial by jury shall remain inviolate.

Sec. 16. Private property shall not be taken for public uses, without just compensation.

Sec. 17. The people shall continue to enjoy and freely exercise all the rights of fishery, and the privilege of the shore, to which they have been heretofore entitled under the charter and usages of this State. But no new right in these respects, is intended to be granted, nor any existing right impaired by this declaration.

Sec. 18. The military shall be held in strict subordination to the civil authority.

Sec. 19. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor, in time of war, but in manner to be prescribed by law.

Sec. 20. The liberty of the press being essential to the security of freedom in a state, any person may publish his sentiments on any subject, being responsible for the abuse of that liberty; and in all trials for libel, both civil and criminal, the truth, unless published from malicious motives, shall be a sufficient defence to the person charged.

Sec. 21. The citizens have a right in a peaceable manner to assemble for their common good, and to apply to those invested with the powers of Government, for redress of grievances, or for other purposes, by petition, address, or remonstrance.

Sec. 22. The right of the people to keep and bear arms, shall not be infringed.

Sec. 23. The enumeration of the foregoing rights shall not be construed to impair or deny others retained by the people.

Article Second. Of the Qualification of Electors.

Section 1. Every male citizen of the United States, of the age of twenty one years, who has had his residence and home in this State for one year, and in the town or city in which he may claim a right to vote, three months next preceding the time of voting, and who is really and truly possessed in his own right of an estate in such town or city of the value of one hundred and thirty-four dollars over and above all incumbrances, or which shall rent for seven dollars per annum over and above any rent reserved or the interest of any incumbrance thereon, being an estate in fee simple, fee tail, for the life of any person, or an estate in reversion or remainder which qualifies no other person to vote, the conveyance of which estate, if by deed, shall have been recorded at least ninety days, shall thereafter have a right to vote in the election of all civil officers and on all questions in all legal town or ward meetings so long as he continues so qualified. And if any person herebefore described shall own any such estate within this State out of the town or city in which he resides, he shall have a right to vote in the election of all general officers and members of the General Assembly in town or city in which he shall have had his residence and home for the term of three months next preceding the election, upon producing a certificate from the clerk of the town or city in which his estate lies, bearing date within ten days of the time of his voting, setting forth that such person has a sufficient estate therein to qualify him as a voter; and that the deed, if any, has been recorded ninety days.

Sec. 2. Every [] male native citizen of the United States, of the age of twenty one years, who has had his residence and home in this State two years, and in the town or city in which he may offer to vote, one year next preceding the time of voting, and who shall procure his name to be registered in the office of the clerk of such town or city on or before the last Monday of December previous to the time of voting, and shall show by legal proof that he has for the year next preceding the time he shall offer to vote, and at least three months previous thereto, paid tax or taxes assessed on his real or personal estate in any town or city in this State to the amount of one dollar, or such sum as with his other taxes shall amount to one dollar, shall have a right to vote in the election of all civil officers, and on all questions in all legal town or ward meetings. And the assessors of each town or city shall annually assess upon every person whose name shall be so registered a tax of one dollar, or such sum as with his other taxes shall amount to one dollar; which registry tax shall be paid into the treasury of such town or city, and be applied to the support of public schools therein. But no compulsory process shall issue for the collection of any registry tax, and no person shall be allowed to vote whose

registry tax for either of the two years next preceding the time of voting is unpaid. *Provided*, That any person qualified in other respects as required by this section, who is enrolled in any military company and has for the year next preceding the time he shall offer to vote, been equipped and done military duty therein according to law, and at least for one day during such year, shall, on legal proof thereof, be deemed a qualified voter, and the registry tax for that year be remitted. Any registry tax assessed against a mariner for any year when he is at sea (except the year preceding the time of voting) shall upon his application be remitted. *Provided Further*, That no person qualified to vote under the provisions of this section shall be allowed to vote in the election of the city council of the city of Providence, or upon any proposition to impose a tax, or for the expenditure of money in any town or city, unless he shall within the year next preceding have paid a tax assessed upon his property therein, valued at least at one hundred and fifty dollars.

Sec. 3. No person in the military, naval, marine or any other service in the United States, shall be considered as having the required residence by reason of being employed in any garrison, barrack, or military or naval station in this State; and no pauper, lunatic, person non compos mentis, person under guardianship, or member of the Narragansett tribe of Indians, shall be permitted to be registered or to vote. Nor shall any person convicted of crime deemed infamous at common law, be permitted to exercise that privilege, until he be expressly restored thereto by act of the General Assembly.

Sec. 4. Persons residing on lands ceded by this State to the United States, shall not be entitled to exercise the privilege of electors.

Sec. 5. The General Assembly shall have full power to provide for a registration of voters, to prescribe the manner of conducting the elections, the form of certificates, the nature of the evidence to be required in case of a dispute as to the right of any person to vote, and generally to enact all laws necessary to carry this article into effect, and to prevent abuse, corruption, and fraud in voting.

Article Third. Of the distribution of Powers.

The powers of the government shall be distributed into three departments; the Legislative, Executive, and Judicial.

Article Fourth. Of the Legislative Power.

Section 1. This constitution shall be the supreme law of the State and any law inconsistent therewith shall be void. The General Assembly shall pass all laws necessary to carry this Constitution into effect.

Sec. 2. The Legislative power, under this constitution, shall be vested in two Houses, the one to be called the Senate, the other the House of Representatives; and both together the General Assembly. The concurrence of the two Houses shall be necessary to the enactment of laws. The style of their laws shall be, "It is enacted by the General Assembly as follows."

Sec. 3. There shall be two sessions of the General Assembly holden annually; one at Newport, on the first Tuesday of May, for the purposes of election and other business; the other on the last Monday of October, which last session shall be holden at South Kingstown once in two years, and the intermediate years alternately at Bristol and East Greenwich; and an adjournment from the October session shall be holden annually at Providence.

Sec. 4. No member of the General Assembly shall take any fee, or be of counsel in any case pending before either House of the General Assembly, under penalty of forfeiting his seat, upon proof thereof to the satisfaction of the House of which he is a member.

Sec. 5. The person of every member of the General Assembly shall be exempt from arrest and his estate from attachment in any civil action, during the session of the General Assembly, and two days before the commencement thereof, and all process served contrary hereto shall be void. For any speech in debate in either House, no member shall be questioned in any other place.

Sec. 6. Each House shall be the judge of the elections and qualifications of its members; and a majority shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner, and under such penalties as may be prescribed by such House or by law. The organization of the two Houses may be regulated by law, subject to the limitations contained in this constitution.

Sec. 7. Each House may determine its rules of proceeding, punish contempts, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.

Sec. 8. Each House shall keep a journal of its proceedings. The yeas and nays of the members of either House, shall, at the desire of one-fifth of those present, be entered on the journal.

Sec. 9. Neither House shall, during a session, without the consent of the other, adjourn for more than two days, nor to any other place than that in which they may be sitting.

Sec. 10. The General Assembly shall continue to exercise the powers they have heretofore exercised, unless prohibited in this constitution.

Sec. 11. The Senators and Representatives shall receive the sum of one dol-

lar for every day of attendance, and eight cents per mile for travelling expenses in going to and returning from the General Assembly. The General Assembly shall regulate the compensation of the Governor and all other officers, subject to the limitations contained in this constitution.

Sec. 12. All lotteries shall hereafter be prohibited in this State, except those already authorized by the General Assembly.

Sec. 13. The General Assembly shall have no power, hereafter, without the express consent of the people, to incur State Debts to an amount exceeding fifty thousand dollars, except in time of war, or in case of insurrection or invasion, nor shall they in any case, without such consent, pledge the faith of the State for the payment of the obligations of others. — This section shall not be construed to refer to any money that may be deposited with this State by the Government of the United States.

Sec. 14. The assent of two-thirds of the members elected to each House of the General Assembly shall be required to every bill appropriating the public money or property for local or private purposes.

Sec. 15. The General Assembly shall from time to time, provide for making new valuations of property, for the assessment of taxes, in such manner as they may deem best. A new estimate of such property shall be taken before the first direct State tax, after the adoption of this Constitution, shall be assessed.

Sec. 16. The General Assembly may provide by law for the continuance in office of any officers of annual election appointment, until other persons are qualified to take their places.

Sec. 17. Hereafter, when any bill shall be presented to either House of the General Assembly, to create a corporation for any other than for religious, literary or charitable purposes, or for a military or fire company, it shall be continued until another election of members of the General Assembly shall have taken place, and such public notice of the pendency thereof shall be given as may be required by law.

Sec. 18. It shall be the duty of the two Houses upon the request of either, to join in grand committee for the purpose of electing Senators in Congress, at such times and in such manner as may be prescribed by law for said elections.

Article Fifth. Of the House of Representatives.

Sec. 1. The House of Representatives shall never exceed seventy-two members, and shall be constituted on the basis of population, always allowing one Representative for a fraction exceeding half the ratio; but each town or city shall always be entitled to at least one member; and no town or city shall ever have more than one sixth of the whole number of members to which the House is hereby limited. The present ratio shall be one representative to every fifteen hundred and thirty inhabitants, and the General Assembly may, after any new census taken by the authority of the United States or of this State, re apportion the representation by altering the ratio; but no town or city shall be divided into districts for the choice of representatives.

Sec. 2. The House of Representatives shall have authority to elect its speaker, clerks, and other officers. The senior member from the town of Newport, if any be present, shall preside in the organization of the House.

Article Sixth. Of the Senate.

Section 1. The Senate shall consist of the Lieutenant Governor and of one Senator from each town or city in the State.

Sec. 2. The Governor, and, in his absence, the Lieutenant Governor, shall preside in the Senate and in grand committee. The presiding officer of the Senate and grand committee shall have a right to vote in case of equal division, but not otherwise.

Sec. 3. If, by reason of death, resignation, absence, or other cause, there be no Governor or Lieutenant Governor present, to preside in the Senate, the Senate shall elect one of their own members to preside during such absence or vacancy, and until such election is made by the Senate, the Secretary of State shall preside.

Sec. 4. The Secretary of State shall, by virtue of his office, be Secretary of the Senate, unless otherwise provided by law; and the Senate may elect such other officers as they may deem necessary.

Article Seventh. Of the Executive Power.

Section 1. The chief executive power of this State shall be vested in a Governor, who, together with a Lieutenant Governor, shall be annually elected by the people.

Sec. 2. The Governor shall take care that the laws be faithfully executed.

Sec. 3. He shall be captain general and commander-in-chief of the military and naval forces of this State except when they shall be called into the service of the United States.

Sec. 4. He shall have power to grant reprieves, after conviction, in all cases, except those of impeachment, until the end of the next session of the General Assembly.

Sec. 5. He may fill vacancies in office not otherwise provided for by this constitution or by law, until the same shall be filled by the General Assembly, or by the people.

Sec. 6. In case of disagreement between the two Houses of the General Assembly, respecting the time or place of adjournment, certified to him by either, he may adjourn them to such time and place as he shall think proper; provided

that the time of adjournment shall not be extended beyond the day of the next stated session.

Sec. 7. He may, on extraordinary occasions, convene the General Assembly at any town or city in this State, at any time not provided for by law; and in case of danger from the prevalence of epidemic or contagious disease, in the place in which the General Assembly are by law to meet, or to which they may have been adjourned; or for other urgent reasons, he may, by proclamation, convene said Assembly, at any other place within this State.

Sec. 8. All commissions shall be in the name and by authority of the State of Rhode Island and Providence Plantations; shall be sealed with the State seal, signed by the Governor and attested by the Secretary.

Sec. 9. In case of vacancy in the office of Governor, or of his inability to serve, impeachment, or absence from the State, the Lieutenant Governor shall fill the office of Governor and exercise the powers and authority appertaining thereto, until a Governor is qualified to act, or until the office is filled at the next annual election.

Sec. 10. If the offices of Governor and Lieutenant Governor be both vacant by reason of death, resignation, impeachment, absence, or otherwise, the person entitled to preside over the Senate for the time being, shall in like manner fill the office of Governor during such absence or vacancy.

Sec. 11. The compensation of the Governor and Lieutenant Governor shall be established by law, and shall not be diminished during the term for which they are elected.

Sec. 12. The duties and powers of the Secretary, Attorney General, and General Treasurer, shall be the same under this constitution as are now established, or as from time to time may be prescribed by law.

Article Eighth. Of Elections.

Section 1. The Governor, Lieutenant Governor, Senators, Representatives, Secretary of State, Attorney General, and General Treasurer, shall be elected at the town, city, or ward meetings, to be holden on the first Wednesday of April, annually; and shall severally hold their offices for one year, from the first Tuesday of May next succeeding, and until others are legally and duly qualified to fill their places. If elected or qualified after the said first Tuesday of May, they shall hold their offices for the remainder of the political year, and until their successors are qualified to act.

Sec. 2. The voting for Governor, Lieutenant Governor, Secretary of State, Attorney General, General Treasurer, and Representatives to Congress, shall be by ballot; Senator and Representatives to the General Assembly, and town or city officers, shall be chosen by ballot, on demand of any seven persons entitled to vote for the same; and in all cases where an election is made by ballot or paper vote, the manner of balloting shall be the same as is now required in voting for general officers, until otherwise prescribed by law.

Sec. 3. The names of the persons voted for as Governor, Lieutenant Governor, Secretary of State, Attorney General, and General Treasurer, shall be placed upon one ticket, and all votes for these officers, shall, in open town or ward meetings and town clerks, and by the wardens and ward clerks, who shall certify the same and deliver or send them to the Secretary of State, whose duty it shall be securely to keep and deliver the same to the grand committee, after the organization of the two Houses at the annual May session, and it shall be the duty of the two Houses at said session, after their organization, upon the request of either House, to join in grand committee, for the purpose of counting and declaring said votes, and of electing other officers.

Sec. 4. The town and ward clerks shall also keep a correct list or register, of all persons voting for general officers, and shall transmit a copy thereof to the General Assembly, on or before the first day of said May session.

Sec. 5. The ballots for Senators and Representatives in the several towns, shall in each case after the polls are declared to be closed, be counted by the moderator, who shall announce the result, and the clerk shall give certificates to the persons elected. If in any case, there be no election, the polls may be re-opened, and the like proceedings shall be had until an election shall take place; *Provided*, however, that an adjournment or adjournments of the election may be made to a time not exceeding seven days from the first meeting.

Sec. 6. In the city of Providence, the polls for Senators and Representatives shall be kept open during the whole time of voting for the day, and the votes in the several wards shall be sealed up at the close of the meeting by the wardens and ward clerks in open ward meeting, and afterwards delivered to the city clerk. — The Mayor and Aldermen shall proceed to count said votes within two days from the day of election; and if no election of Senator and Representatives, or if an election of only a portion of the Representatives, shall have taken place, the Mayor and Aldermen shall order a new election, to be held not more than ten days from the day of the first election, and so on till the election shall be completed. Certificates of election shall be furnished by the city clerk to the persons chosen.

Sec. 7. If no person shall have a majority of votes for Governor, it shall be the duty of the grand committee to elect one by ballot from the two persons having the highest number of votes for the office, except in case such a result is produced by rejecting the entire vote of any town, city, or ward, for informality or illegality, in which case a new election by the electors throughout the State shall be ordered; and in case no person shall have a majority of votes for Lieutenant Governor, it shall be the duty of the grand committee to elect one by ballot from the two persons having the highest number of votes for the office.

Sec. 8. In case an election of the Secretary of State, Attorney General, or General Treasurer, should fail to be made by the electors at the annual election, the vacancy or vacancies shall be filled by the General Assembly in grand committee, from the two candidates for such office having the greatest number of the votes of the electors. Or, in case of a vacancy in either of said offices from other causes, between the sessions of the General Assembly, the Governor shall appoint some person to fill the same until a successor elected by the General Assembly is qualified to act; and in such case, and also in all other cases of vacancies, not otherwise provided for, the General Assembly may fill the same in any manner they may deem proper.

Sec. 9. Vacancies from any cause in the Senate or House of Representatives may be filled by a new election.

Sec. 10. In all elections held by the people, under this constitution, a majority of all the electors voting shall be necessary to the election of the persons voted for.

Article Ninth. Of qualifications for office.

Section 1. No person shall be eligible to any civil office, (except the office of school committee,) unless he be a qualified elector for such office.

Sec. 2. Every person shall be disqualified from holding any office to which he may have been elected, if he be convicted of having offered, or procured any other person to offer, any bribe to secure his election, or the election of any other person.

Sec. 3. All general officers shall take the following engagement before they act in their respective offices, to wit: "You, being by the free vote of the electors of this State of Rhode Island and Providence Plantations, elected unto the place of _____ do solemnly swear (or affirm) to be true and faithful unto this State, and to support the Constitution of this State and of the United States; that you will faithfully and impartially discharge all the duties of your aforesaid office to the best of your abilities, according to law: So help you God. Or, this affirmation you make and give upon the peril of the penalty of perjury."

Sec. 4. The members of the General Assembly, the Judges of all the Courts, and all other officers, both civil and military, shall be bound by oath of affirmation, to support this Constitution, and the Constitution of the United States.

Sec. 5. The oath or affirmation, shall be administered to the Governor, Lieutenant Governor, Senators and Representatives by the Secretary of State, or, in his absence, by the Attorney General. The Secretary of State, Attorney General, and General Treasurer, shall be engaged by the Governor, or by a Justice of the Supreme Court.

Sec. 6. No person holding any office under the government of the United States, or of any other State or country, shall act as a general officer, or as a member of the General Assembly, unless at the time of taking his engagement, he shall have resigned his office under such government; and if any general officer, Senator, Representative, or Judge shall, after his election and engagement, accept any appointment under any other government, his office under this shall be immediately vacated; but this restriction shall not apply to any person appointed to take depositions or acknowledgements of deeds, or other legal instruments, by the authority of any other State or country.

Article Tenth. Of the judicial power.

Section 1. The judicial power of this State shall be vested in one Supreme Court, and in such inferior courts as the General Assembly may, from time to time, establish.

Sec. 2. The several courts shall have such jurisdiction as may from time to time be prescribed by law. Chancery powers may be conferred on the Supreme Court, but on no other Court to any greater extent than is now provided by law.

Sec. 3. The Judges of the Supreme Court shall, in all trials, instruct the jury in the law. They shall also give their written opinion upon any matter of law whenever requested to by the Governor, or by either House of the General Assembly.

Sec. 4. The judges of the Supreme Court shall be elected by the two Houses in grand committee. Each judge shall hold his office until his place be declared vacant by a resolution of the General Assembly to that effect; which resolution shall be voted for by a majority of all the members elected to the House in which it may originate, and be concurred in by the same majority of the other House. Such resolution shall not be entertained at any other than the annual session for the election of public officers; and in default of the passage thereof at said session, the judge shall hold his place as is herein provided. But a judge of any court shall be removed from office, if, upon impeachment, he shall be found guilty of any official misdemeanor.

Sec. 5. In case of vacancy by death, resignation, removal from the State or

from office, refusal or inability to serve, of any judge of the Supreme Court, the office may be filled by the grand committee, until the next annual election, and the Judge then elected shall hold his office as before provided. In cases of impeachment, or temporary absence or inability, the Governor may appoint a person to discharge the duties of the office during the vacancy caused thereby.

Sec. 6. The judges of the Supreme Court shall receive a compensation for their services, which shall not be diminished during their continuance in office.

Sec. 7. The towns of New Shoreham and Jamestown may continue to elect their wardens as heretofore. The other towns and the city of Providence, may elect such number of justices of the peace, resident therein, as they may deem proper. The jurisdiction of said justices and wardens shall be regulated by law. The justices shall be commissioned by the Governor.

Article Eleventh.

Of impeachments.

Section 1. The House of Representatives shall have the sole power of impeachment. A vote of two thirds of all the members elected shall be required for an impeachment of the Governor. Any officer impeached, shall thereby be suspended from office until judgment in the case shall have been pronounced.

Sec. 2. All impeachments shall be tried by the Senate; and, when sitting for that purpose, they shall be under oath or affirmation. No person shall be convicted except by vote of two-thirds of the members elected. When the Governor is impeached, the chief or presiding justice of the Supreme Court for the time being, shall preside, with a casting vote in all preliminary questions.

Sec. 3. The Governor, and all other Executive and Judicial officers, shall be liable to impeachment; but judgment in such cases shall not extend further than to removal from office. The person convicted shall, nevertheless, be liable to indictment, trial, and punishment according to law.

Article Twelfth.

Of education.

Section 1. The diffusion of knowledge, as well as of virtue, among the people, being essential to the preservation of their rights and liberties, it shall be the duty of the General Assembly to promote public schools, and to adopt all means which they may deem necessary and proper to secure to the people the advantages and opportunities of education.

Sec. 2. The money which now is, or which may hereafter be appropriated by law for the establishment of a permanent fund for the support of Public Schools, shall be securely invested and remain a perpetual fund for that purpose.

Sec. 3. All donations for the support of Public Schools or for other purposes of education, which may be received by the General Assembly, shall be applied according to the terms prescribed by the donors.

Sec. 4. The General Assembly shall make all necessary provisions by law for carrying this article into effect. They shall not divert said money or fund from the aforesaid uses, nor borrow, appropriate, or use the same, or any part thereof, for any other purpose, under any pretence whatsoever.

Article Thirteenth.

Of Amendments.

The general Assembly may propose amendments to this constitution by the votes of a majority of all the members elected to each House. Such propositions for amendment shall be published in the newspapers, and printed copies of them shall be sent by the Secretary of State, with the names of all the members who shall have voted thereon, with the yeas and nays, to all the town and city clerks in the State. The said propositions shall be, by said clerks, inserted in the warrants or notices by them issued, for warning the next annual town and ward meetings in April; and the clerks shall read said propositions to the electors when assembled, with the names of all the Representatives and Senators who shall have voted thereon, with the yeas and nays, before the election of Senators and Representatives shall be had. If a majority of all the members elected to each House, at said annual meeting, shall approve any proposition thus made, the same shall be published and submitted to the electors in the mode provided in the act of approval; and if then approved by three fifths of the electors of the State present, and voting thereon in town and ward meetings, it shall become a part of the constitution of this State.

Article Fourteenth.

Of the adoption of this Constitution.

Section 1. This constitution, if adopted, shall go into operation on the first Tuesday of May, in the year one thousand eight hundred and forty-three. The first election of Governor, Lieutenant-Governor, Secretary of State, Attorney General, and General Treasurer, and of Senators and Representatives under said constitution, shall be had on the first Wednesday of April next preceding, by the electors qualified under said constitution. And the town and ward meetings therefore shall be warned and conducted as is now provided by law. All civil and military officers now elected, or who shall hereafter be elected, by the General Assembly, or other competent authority, before the said first Wednesday of April, shall hold their offices and may exercise their powers until the said first Tuesday of May, or until their successors shall be qualified to act. All statutes, public and private, not repugnant to this constitution, shall continue

in force until they expire by their own limitation, or are repealed by the General Assembly. All charters, contracts, judgments, actions, and rights of action, shall be as valid as if this constitution had not been made. The present government shall exercise all the powers with which it is now clothed, until the said first Tuesday of May, one thousand eight hundred and forty-three, and until the government under this constitution is duly organized.

Sec. 2. All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the State as if this constitution had not been adopted.

Sec. 3. The Supreme Court, established by this constitution, shall have the same jurisdiction as the Supreme Judicial Court at present established and shall have jurisdiction of all causes which may be appealed to, or pending in the same; and shall be held at the same times and places, and in each county, as the present Supreme Judicial Court, until otherwise prescribed by the General Assembly.

Sec. 4. The towns of New-Shoreham and Jamestown shall continue to enjoy, the exemptions from military duty, which they now enjoy, until otherwise prescribed by law.

STATE OF RHODE-ISLAND AND PROVIDENCE PLANTATIONS.

In Convention, A. D. 1842.

Resolved, That the constitution framed by this convention, be certified by the officers thereof, and with the journal and papers of the convention be deposited in the office of the Secretary of State; who shall cause said constitution together with this resolution and all acts and resolutions of the General Assembly relating to this convention, to be printed and distributed according to law; and that said constitution be submitted to all the people who may be by law authorized to vote thereon, for their ratification or rejection, at town or ward meetings, to be held in the several towns and in the city of Providence, on the days of

A. D. 1842. The several town and city clerks shall issue the necessary warrants for said meetings. Said meetings shall be kept open for the reception of votes during the time herein specified, and longer if necessary, viz: from the hour of 9 o'clock in the forenoon until 7 o'clock in the afternoon; and in town of Newport, and city of Providence, until nine o'clock in the evening on the days appointed.

In the first line of the second section of article second, relating to the qualification of electors, when the constitution is enrolled, there shall be a blank space left between the words *every* and *male*, and at the meetings hereinafter appointed for voting upon the constitution, the following question shall also be separately submitted to be voted upon by those who may be authorized to vote for or against said constitution, viz: "In case the constitution framing by the convention assembled at Newport in September, 1842, be adopted, shall the blank in the first line of section second of article second of said constitution, be filled by the word *white*," and a sufficient number of affirmative and negative ballots for this purpose shall be printed and distributed by the Secretary. And in case said constitution be adopted, and there shall also upon the question in relation to said word *white*, be a majority of votes in favor of filling said blank with said word, the General Assembly shall cause the blank to be so filled, and the same shall be a part of said constitution in the same manner as if originally inserted therein by this convention. But if there be a majority of votes against filling said blank as aforesaid, the constitution shall be printed without said blank. And if said constitution be not adopted, the vote taken in relation to said word *white* shall be of no effect.

The ballots upon the adoption of said constitution, and also upon the question in relation to said word *white*, shall be returned to the next session of the General Assembly, holden after the meeting herein appointed, in order that they may cause the votes to be counted and the result declared.

In Convention, Sept. 29, 1842:—The above draft of resolutions was read and

THO'S A. JENCKES, Sec'y.

A ROBBER SHOT BY A WOMAN.—The Pittsburgh Sun of the 31 inst. states that on Friday evening the family of Mr. Wilson, who lives in Pride's fields, a short distance from the city, were alarmed when about retiring to bed, by hearing a noise in a part of their dwelling. Mr. W. being absent, his wife, taking a loaded pistol with her, descended to the lower rooms, and just as she got down, she observed a person passing through a door in front of her. She at once presented the pistol and fired, and from the blood discovered round the premises, there is no doubt but the shot took effect. Immediately after the discharge of the pistol a man was seen rushing from the house, and a third was observed in the garden.

MILK.—The Erie Railroad brought to the city 93,000 quarts of milk, during the month of September. The milk is bought in Orange Co. at two cents and sold to dealers on arrival here, at four cents a quart. The road earned in the whole, during the month, \$10,800, of which \$6,600 was received for freight and \$4,200 for passengers. The milk produced at half a cent a quart, \$469.—The weight of the milk was ninety three tons.—N. Y. Jour. of Com.

THE NEWPORT MERCURY.

NEWPORT.

SATURDAY, OCT. 15, 1842.

RHODE ISLAND CONSTITUTION.

We have copied from the Providence Journal of Wednesday, the official draft of the proposed Constitution. We must apologize to our readers for its occupying so considerable a part of this day's paper, but we have been under the necessity of publishing it this week, in order to bring it within the ten days limited for its publication, by the Engrossing Committee.

FUNERAL OF DR. CHANNING.—We learn from the Boston Transcript, that the last sad and solemn ceremonies over the remains of the Rev. Dr. Channing, were performed in presence of a crowded and sorrowing assembly, on Friday afternoon, the 7th inst., in the Federal Street Church, in Boston. After the singing of an anthem, appropriate passages from scripture were read by the Rev. Mr. Lothrop, and a fervent commendatory prayer and supplication was made by the Rev. Dr. Parkman. The Rev. Mr. Gannett, (the former associate with Dr. Channing in the ministry,) then addressed the assembly, taking for his text the beautiful words of holy promise, "Whosoever liveth and believeth in me shall never die." The address was full of truth, holiness and beauty; it was a fervent tribute from the pure mind of a christian brother, to the life, character and virtues of the departed.

State Elections.

MARYLAND.—The election in this State, took place on the 3d inst. The Baltimore American of the 10th inst. contains the final result.—The General Assembly, will this year comprise 21 Senators and 82 Delegates.—Of these the Whigs have 13 Senators and 35 Delegates; and the Democrats 8 Senators and 46 Delegates.—making a Demo. majority of six in joint ballot of the two Houses, and leaving a tie for one delegate in St. Mary's.—This result will of course, occasion the loss of a Whig Senator in the next Congress.

GEORGIA.—The election for Members of Congress and the State Legislature, took place on the 3d inst.—From the returns received, we infer that the Whig ticket for Congress has been defeated by a considerable majority. The Legislature will be strongly democratic.

PENNSYLVANIA.—The election in this State took place on Tuesday last. From the returns already received, there can be no doubt it has resulted in a large democratic majority in both branches of the Legislature.

NEW JERSEY.—The election in this State for members of the Legislature, took place on Tuesday and Wednesday last. From the returns received, the parties in the next Legislature will stand as follows:—Council, W. 10, Dem. 8.—Assembly, W. 33, Dem. 25. Whig majority in joint ballot, 10. The Governor is chosen by the Legislature.

Mr. FRIEND will give another of his amusing Concerts at the Town Hall this evening.

The Steamboat *Iolas*, Capt. Woolsey, arrived here yesterday from New York, we understand she is intended to run between this place and Providence.

SUPREME JUDICIAL COURT.—The following persons were arraigned before the Supreme Court in Providence, on Monday morning on the indictments which had been returned by the grand jury against them, viz: Franklin Conley, William H. Smith, and Hezekiah Willard, for treason; and Benjamin Arnold, jun., Charles H. Slocum, Burrington Anthony, and David Parmenter for misdemeanors. Five days time was given to those arraigned for treason, to answer to the indictments.

The case of the State against Joseph Joslin, was then taken up,—the question being a demurrer to a plea to the jurisdiction filed to the indictment which was found in the county of Newport.—The Attorney General and Mr. Ames appeared on the part of the Government, and Messrs. Atwell and Rantoul (Mass.) for the defendant. The Council on both sides occupied the whole of Monday on discussing the question, and the Court have now to decide it.

Duty on United States Wheat.—The bill imposing a duty of three shillings sterling per quarter, on wheat from the United States, passed the Canada House of Assembly on the 4th inst., by a vote of 31 to 19. The bill goes into operation on the 5th July next. We presume there is no doubt of its passage in the Legislative Council.

We are compelled to omit this week our Meteorological Diary.

STORM AT THE SOUTH.—While in this part of the country there has been no rain for nearly a month, during which period the weather has been so pleasant as to occasion general remark, our "Southern brethren" have been visited with heavy rains and gales. This was the cause of the interruption in the mails. At Charleston the storm commenced on the 5th, Wind E. N. E. On the morning of the 6th most of the wharves belonging to Mr. Jefferson and George, belonging to Mr. Jeanneret, Ned, belonging to Mr. Melichamp, William, belonging to Mrs. C. Macbeth, and a negro boy, named Isaac, belonging to Mrs. Hughes, while crossing the Bar, on the way to town, was swamped, and it is supposed that all on board perished.

The steamers *Wilmington* and *Gladiator* were detained in port during the 6th, on account of the gale. A letter of the same date from Grahamville, S. C. says: "I have to inform you that the mail conveyance upset last night, on the causeway near Blue House, and all the mails got wet, and the one from Charleston could not be taken across the Savannah Ferry in consequence of this day's storm,—the driver was compelled to return with it to this place."

The Phoenix Bank The Massachusetts Bank Commissioners have published a statement of the present condition of the Phoenix Bank, at Charleston, so far as has yet been ascertained, from which we derive the following particulars:—The Bank went into operation in 1832 with a capital of \$150,000, which in 1837 was increased to \$300,000. By a series of frauds, which must have been in progress for some years, and which are attributed chiefly to Wm. Wyman, President of the Bank, assisted by Thos. Brown, Jr. Cashier, the Bank has been reduced from a sound and prosperous condition, to the loss of its whole capital stock.

In accordance with the law creating the Board of Bank Commissioners, the Phoenix Bank has been uniformly examined by Mr. Shove, one of the Commissioners, his last examination being in Dec., 1841; but by ways and means which the perpetrators of the fraud can only explain, the Commissioner and the Directors of the Bank have both been entirely deceived as to the true state of the affairs of the Bank. The fraud appears to have been in the loan of the Bank and in the item called cash. It was not till the 1st of October inst., that the directors discovered as they state, the enormous amount of fraudulent paper in the Bank, which fact was immediately communicated to the Commissioners, and the doors of the Bank were closed on the 3d inst. Legal proceedings have also been instituted against the persons implicated in the fraud. The result of the examination of the books of the Bank is thus stated:—

The liabilities to the public are \$392,774 00 To meet which, there are cash funds and paper, now estimated as good, \$250,511 14 Paper upon which a part, but not the whole, will probably be realized, \$5,699 And the paper representing the liabilities of Stanley, Reed & Co., amounting to \$344,556 35.

The amount eventually to be realized from all these assets, it is added, will depend very much upon the perseverance, skill and judgment with which their collection is managed. Mr. Shove, one of the Bank Commissioners, appears to have liabilities at the Bank, as principal, amounting to \$6,400, and as endorser, \$7,390.

IMMIGRATION INTO NEW YORK.—The imports of foreigners into New York this year has been immense. By the returns of the Custom House there were 66,083 immigrants, entered from the 1st of January to the 20th of September. 39,916 males, and 26,170 females.

DEATH OF MAJOR KIRBY.—The Eastport correspondent of the *Atlas*, Oct. 10, announces the death of Major Reginald M. Kirby, commandant of the United States forces at that port, who died at East Sullivan on Friday evening inst., aged 52. His disease, says the correspondent, was pleurisy.

BRIGHTON MARKET, Monday, Oct. 10 Reported for the Boston Daily Advertiser.

At Market, 900 Beef Cattle, 3800 Sheep, 730 Stores and 1550 Swine.

Prices.—Beef Cattle.—Extra at \$5. First quality \$4 50 a \$4 75; second quality \$3 75 a \$4 25; third quality \$3 a \$3 50.

Stores.—Two year old at \$7 a \$12; three year old \$14 a 20.

Sheep.—We quote lots from 75 to 175; better qualities from \$2 to 2 75.

Swine.—A small advance; lots to peddle at from 2 1-2 a 2 3-4 for Sows, and 3 1-2 a 3 1-4 for Barrows. At retail from 3 to 4 1-2.

MARRIED.

In this town on Wednesday evening last, at the Second Baptist Church, by the Rev. Mr. Leaver, Mr. JEROME SHERMAN, to Miss ELIZA A. D. GATEWOOD, daughter of the late Mr. Bennett P. Gatewood, all of Providence.

In Warren, on the 4th inst., Mr. HENRY A. PARRINGTON, of New Bedford, to Miss SARAH H. daughter of the late Capt. Rufus Frink, of W.—On the 5th, in St. Mark's Church, Doct. OTIS BLOOM, to Miss ELIZABETH HICKS, only daughter of the late Mr. George Smith, all of Warren.

In Providence, on the 3d inst., Mr. ABRAHAM BLISS, to Miss MARY ANN CORNELL, both of Providence.—On Thursday, Mr. BENJAMIN BOGMAN, to Miss ELIZA LEMAN, both of that city.—At the friends' Meeting House, KENNETH VARNY, to ELIZA ALLEN, both of Providence.

DIED.

In this town, on Sunday, 23 inst., CATHERINE ANN, only daughter of Mr. Edwin Peabody, aged 1 year and 7 months.

On Monday, the 3d inst., Mr. AUGUSTUS TERRY, formerly of South Kingstown, aged 68 years.

In Bristol, on the 1st inst., Mr. WM. H. DROWN, aged 33 years.—5th. SUSAN, wife of Mr. Wm. M. Blake, aged 42 years.

In Warren, on Thursday last, Mrs. NANCY BOWEN, relict of the late Martin Bowen, in the 72 year of her age.

In Providence, on the 5th inst., Mr. ABRAHAM DAVIS, in the 56th year of his age.

In Exeter, on Monday evening last, Mrs. ANNA KINGSLEY, widow of the late Mr. Sewall Kingsley, aged 77 years.

In North Kingstown, on the 4th inst., Mr. LEVI AGOSTIN, son of the late Samuel Austin, aged 16 years.—On the 5th, at the Village of J. C. Sanford, Esq. Mrs. LYDIA P. wife of Mr. Bowen & Goodmansey, and daughter of the late Josiah Kingsley, aged 26 years.

At Little Compton, 20th ult., SYLVESTER GIFFORD, formerly a Representative from that town in the General Assembly, and late a Judge of the Court of Common Pleas for this County, aged about 60 years.

MERCURY MARINE LIST.

Port of Newport.

ARRIVED.

SUNDAY, October, 9th

Sloops Vankee, Chase, for Fall River for New York; Moses Eddy, Bliven, and Rhode Island, Hull, for Providence for do; Vigilant, Heath, for New York for Providence.

Sailed—Sch's Mary Ann, and Post Boy, New York;—Sloops Excel New York; Wm. H. Bunn, Hartford.

MONDAY, Oct. 10th.

Sch's Thomas Fenner, Nickerson, from Providence for Philadelphia; Reeper, from do for Baltimore; Lucy & Abigail, Baker, for do for Albany; Joseph Brown, Reed, for Fall River for Savannah; Cherokee, Usher, for Bristol for Mobile; Southern, Lisson, from New Bedford for New York.

Sloop A. M. P. Brightman, for Providence for Westport; Rienza, Durfee, from Providence for New York.

Sailed—Sch's Wave, Helen Gray, Venus, and Syrian, New York; Love, Fredericksburg, Mary and Frances, Charleston; Elvina, Georgetown; Columbia, Philadelphia; David Crockett, Key West;—Sloop Three Brothers, Heath, N. York.

TUESDAY, Oct. 11th.

Ship JOHN COGGESHALL, Macy, of this port, from Pacific Ocean, last from Oahu, with 1450 bbls sperm and 650 Right Whale Oil, 7000 lbs of Whale Bone, about 35 months.—Spoke March 2d lat 54 S, lon 121 30 W, ship Foster, Congdon, of Nantucket, 3 mos out, 250 bbls; 12th, lat 14 N, lon 122 30 W, ship Sarah, of do 2300; 23d, lat 47 S, lon 123 30 W, ship Sarah Frances, of F H, 23 mos 1300; April 3d, lat 39 S, lon 124 55 W, ship WM. LEE, Gifford, 20 mos 600; 15th, lat 15 N, lon 125 47 W, bark Columbus, Pense, NB, 21 mos 600; same day, ship Jefferson, Nantucket, 1900 including 200 sent home; 16th, lat 2 S, lon 125 30, ship Columbia, Nantucket, 7 mos 700 bbls.

At Oahu June 16th: Java, of Fairhaven, 550; Roscon, NB, 2160; bark Equator, do 1000; brig O. C. Raymond of Sag Harbor, for Manila soon; H. B. M. S. Favorite arr. 12th and sailed 21st for Marquis Is.—Bark Equator left 20th; Java and Roscoe to leave Aug. 23d; Aug. 2d, lat 56 16 S, lon 65 41 W, ship Maria, of and from Nantucket, 82 days out.

Sch's Southern, Sisson, from New Bedford for New York; Wm. Brown, for do for Philadelphia; Industry, Fishman, from do for do; Ellen Rodman, Shepard, for New York; Bold Commander, Wing, from Wareham, for Philadelphia.

Sloops Rocius, Burt, from Taunton, for New York; Triumph, Folger, from Providence for Nantucket; Henry Gibbs, from Fall River for New Haven.

Sch's Imperial from Freetown; Cora, Lawless, from Bristol.

WEDNESDAY, Oct. 12th

Brig Cashier, of and from Taunton for Savannah.

Sch's Mail, of and from Barnstable for New York; Maria, Small, from Boston for Providence.

THURSDAY, Oct. 13th

Sloop Geo. Washington, Smith, from Norwich for Providence.

Brig Albertina, Joice, from Warren for St. Jago de Cuba.

FRIDAY, Oct. 14th.

Brigs Anna Ann, Sanford, from Fall River for Wilmington N. C.; Gibraltar, Yates, from Pictou, N. S. for Stamford Ct.

MARINE MEMORANDA.

Old at Georgetown, 1st inst., sch'r Hannah, Taylor, St. Domingo.

Arr at Bristol, 4th, sch'r Cora, Lawless, for Norfolk.

Arr at New York, 7th, ship Marianna, Phillips, 29 days from Glasgow.

Sept. 10th.

FLANNELS.

Now is the time to purchase them.

THE subscribers have received their Fall Supply of red, white and yellow FLANNELS, and now offer them for sale at a price much below anything ever before offered.

Wm. C. COZZENS & Co.

Court of Probate, Little Compton, Oct. 10

WHEREAS an Instrument in writing, purporting to be the last Will and Testament of

SYLVESTER GIFFORD, late of Little Compton decd, was presented to this Court for examination and approval.

It is ordered, that the same be received and the consideration thereof be referred to a Court of Probate to be held at the Town Hall in Little Compton, on Monday the 14th day of November next, at 1 o'clock P.M., and that Legal notice be given by publishing a copy of this order three several times in the *Newport Mercury*, for all persons interested to appear at said time and place and be heard.

by order OTIS WILBOR, Probate Clerk

A Second Hand Coal Cooking Stove with the necessary fixtures all in good order, for sale cheap, by Oct. 1.] H. SESSIONS

SALES AT AUCTION.

Will be sold at Public Auction on Saturday the 22d inst. at 11 o'clock A. M., in front of Townsend's Hotel

ONE SHARE in the Coddington Manufacturing Company, by order of an Executor.

J. GOODSPEED, Auc'r.

Oct. 15.

CONCERT.

Ventriloquist Exercises, &c, At the TOWN HALL, this evening, October 15.

MR FRIEND.

MOST RESPECTFULLY announces to the Ladies and Gentlemen of Newport that by the particular solicitations of several of his friends, he will amuse them with a specimen of his astonishing Powers at the above named place for this evening only. Concert to commence at 7 1-2 o'clock. Tickets 12 1-2 cts. without distinction of age. Tickets to be obtained at Barbers Book Store and at the door. Oct. 15.

STOVES & GRATES.

THE subscriber wishes to give notice that as the season is approaching for the use of Stoves and Grates, and many people have Stoves on hand which they wish to dispose of—I will take them at the Store No. 142 Thames street and sell them for a very moderate commission, either at Auction or at private sale, as may be agreed upon when brought.

Persons wishing to purchase Stoves or Grates, will do well to call at No. 142 Thames street before they purchase.

CHARLES N. TILLEY.

Oct. 15.

At the Sign of the "Good Samaritan."

NO 92 Thames Street.

JUST RECEIVED

From Boston in addition to the former Stock of

Medicine Bys and Perfumery.

Extract of Rose, Do do Orange, Do do Honey, Do do Burgamot, Do do Myrtle, Do do Magnolia, Do do Woodbine, Milk of Roses, Balm of Columbia, Macassar, Buffalo, Bears, & Antique Oil, for the hair, French Lotion for chapped hands, Cold Cream and Lip Salve, German, French & American Cologne, Sir James Murray's Fluid Magnesia, Henry's Calcined Magnesia, English, Winsor, and other soaps, Eales, Kidders, & Paysons Indelible Ink.

ALSO, Medicine Chests, for Families, or Vessels, and a general assortment of Medicine, warranted of the first quality.—For sale as above.

CHARLES COTTON.

Newport Oct. 15, 1842.

For Sale on Commission.

10,000 SPANISH CIGARS, 5000 Half Spanish do. Trufant's Compound for the certain cure of Salt Rheum. Matchless Sanative for the cure of Consumption.

Fruit of all kinds; Nuts, Cakes, Pie, Confectionary, Toys, Cough Candy of the first quality, Anderson's, Mrs. Millers, and Lorrains Tobacco, Prunes, Dates, Figs and Raisins. ALSO, 2 good ALE PUMPS, in Perfect Order with Lead Pipe and fixtures, For sale cheap at No. 142 Thames street, by CHARLES N. TILLEY.

Newport Oct. 15.

MERCHANTS BANK.

At the Annual Meeting of the Stockholders of the Merchants Bank, on Monday, the 8d inst., the following persons were elected Directors for the year ensuing, viz:—Samuel Whitehorn, E. W. Lawton, Isaac Gould, N. S. Ruggles, John V. Hammett, Thomas Bush, N. Sweet, Richard Swan, Silas H. Cottrell. At a subsequent meeting of the Directors, Samuel Whitehorn was re-elected President.

C. GYLES, Cashier.

Newport, Oct. 8.

MORE NEW GOODS.

AT NO. 132.

RECEIVED this morning per Steamer boat Charter Oak,

Houssiene de Laine's, Red Flannels, Prints, &c.

J. M. COOK & Co.

Oct. 7, 1842.

New Goods.

H. SESSIONS.

Has JUST RECEIVED a variety of New Goods suitable for the approaching season, among which are FLANNELS very cheap, Also

Monsieur de Laines, Alpines, Thybits, Alpicoas, Prints, Copperplates, &c, &c, Hosiery of every description, Cambricks, Chex. Gingham, Shawls, &c. &c. October 1.

Molasses and Shooks and Heads.

1000 of the first quality. For sale by PECKHAM, BULL & CO. Oct. 1.

Poetry.

The Mariner's Hymn.

BY MRS. SOUTHEY.

Laugh thy bark, mariner!
Christian, God speed thee!
Let loose the rudder bands—
Good angels lead thee!
Set thy sails warily,
Tempests will come;
Steer thy course steadily,
Christian, steer home!
Look to the weather-bow,
Breakers are round thee;
Let fall the plummet now,
Shallows may ground thee.
Reef in the foremast, there!
Hold the helm fast!
So—let the vessel wear—
There swept the blast.
"What of the night, watchman?"
"What of the night?"
"Cloudy—all quiet—"
"No loud yet—all's right!"
Be wakeful, be vigilant—
Danger may be
At an hour when all seemeth
Securest to thee
How gains the leak so fast?
Clear out the hold—
Hoist up thy merchandise,
Heave out thy gold;
There—let the ingots go—
Hurra! the harbor's near—
Lo, the red lights!
Slaken not sail yet
At inlet or island;
Straight for the beacon steer,
Straight for the high land;
Crowd all thy canvases on,
Cut through the foam—
Christian! east anchor now,
Heaven is thy home!



Agricultural.

Cultivation of the Grape.

There is no department of agriculture which has been so systematically neglected by farmers generally, as the cultivation of fine and delicious fruits. This is a matter of surprise, whether we regard profit, or the pleasure and satisfaction to be derived from an abundant supply for our own families. How delightful and wholesome it is, at all seasons of the year (as we may see it) in the bosom of our families—surrounded, perhaps, by our friends and neighbors—to refresh ourselves with the various gifts of Pomona.

There is hardly any fruit which can be more easily cultivated, or may be made longer to administer to our pleasure or profit, than the grape. Of this there is almost an endless variety, both foreign and native; none of the former, and but few of the latter, should be cultivated by farmers generally. The Isabella, Catawba and Clinton, may be classed among the best native varieties, though in all parts of the country there are some wild nameless varieties, rich and delicious, for the neglect of the propagation of which our farmers are without excuse, for the grape is wholesome, and may be justly called one of the greatest delicacies which an all-wise and bountiful Creator has bestowed upon man.

This fruit is easily cultivated, and may be increased to any extent, with no expense but the labor, from cuttings, which may be obtained in thousands from any person pruning his vines; or some exquisite varieties may be obtained from the hedge or the swamp, and propagated to any extent. Will you give this subject your attention?

The best grapes are superior to either the peach, the apple or pear—come after the former has pretty much gone, and may be kept through the winter, as well as the apple or pear. For winter use, they should be packed in layers, in small boxes, with a stratum of common cotton batting between the layers. Thus they may be kept till March, better in flavor than when they were first gathered from the vines. They should be kept cool, dry, and away from the frost.

The best mode of cultivation in the garden is on a single trellis, running North and South—the posts of which should either be cedar, or have cedar bottoms, and then be slyed about ten feet high, and have strips of board about two inches wide nailed on them about three feet apart. The usual way of cultivating them on an arbor with an arch, is bad, for the reason that those clusters which do not get the sun will seldom ripen well, and if they do, they will be without flavor.

They should, immediately after the fall of the leaves, be thoroughly pruned and have every runner of new wood cut into five buds or eyes of the old wood. They should be kept open and free. New shoots should be encouraged near the ground, in order to have

the bearing-wood low, and to protect the frame from the winds.

They may be cultivated at the foot of old and worthless fruit trees, or on shade trees, and after three or four years of protection from the cattle, they will give you no farther trouble. Thus the care and expense of trellising and pruning will be wholly spared.

One single Isabella vine, cultivated in this way, has been known to produce for the four years last past, from ten to fifteen bushels per year. Such a vine as this, in the vicinity of any of our cities, or large manufacturing villages, would yield more profit than two acres of Indian corn.

Now farmers, do you want to have a few bushels of fine grapes for winter, to cheer the social circle and gladden the hearts of your friends and guests during our long and winter evenings? If so you have but to will it and it is done. You obtain vines at twenty-five cents apiece. This luxury is at the command of the rich and poor—then go ahead and adopt the mode of culture best adapted to your circumstances; and for this advice we shall ask no greater reward than a rich cluster of delicious grapes, when we call on you, three years from next February, if our life shall be so long continued unto us.—*Boston Cultivator.*

BECKWITH'S ANTI-DYSPEPTIC PILL.

THE ANTI-DYSPEPTIC PILLS have been more successfully employed in almost every variety of functional disorder of the Stomach, Bowels, Liver and Spleen; such as heartburn, acid eructations, nausea, headache, pain and distension of the Stomach and Bowels, incipient Diarrhoea, colic, Jaundice, Flatulency, habitual costiveness, loss of appetite, sickhead ache, sea-sickness, &c. &c. They are a safe and comfortable aperient for females during pregnancy and subsequent confinement, relieving sickness at the stomach, headache, heartburn and many of the incidental nervous affections. Literary men, students, and most other persons of sedentary habits, find they are convenient. Those who indulge too freely in the pleasures of the Table, find speedy relief from the sense of oppression and distension which follow, by taking the Pills. As Dinner Pills they are invaluable. Those who are drinking mineral waters, and particularly those from southern climates, and agree and fever districts, will find them a valuable adjunct. Those who are exposed to the vicissitudes of weather on voyages or journeys, can take them at all times with perfect safety. As Fall does they are a highly efficacious and Anti-bilious Medicine. They seldom or never produce sickness at the stomach or griping.

TESTIMONIALS.

From the mass of evidence published in favour of these Pills, a few certificates are selected (as many as the limits of an advertisement will conveniently admit of) to show the character of the Pills as well as of the Proprietor, which last is deemed of some importance to establish confidence, at a time when the public are imposed on by so many ignorant and unprincipled empirics.

Dublin County, N.C. March 7, 1834.

To Dr. John Beckwith:
Dear Sir—I have with your permission used your Anti-dyspeptic Pills in my Practice ten years, and have thoroughly tested them in my own person; for you know I was much of a Dyspeptic and you will add, something of a hypochondriac. My sick-headache is uniformly relieved by them. I feel the public should be made acquainted with their value and receive the benefit of a medicine calculated to do so much good, and to save them from the too common and unadvised use of mercenary preparations. Truly yours,

ELIJAH CROSBY, M. D.

The following Testimonial of the claim of these Pills to public patronage, has been selected from many of similar import, recently furnished.

From the Rt. Rev. Levi S. Lee, D. D., Bishop of North Carolina.

Raleigh, March 2, 1835
Having for the last three years, been intimately acquainted with Dr. John Beckwith of this city, and enjoyed his professional services I take pleasure in stating that his character as a Christian gentleman, and experienced Physician, entitles his testimony, in regard to the use of his Anti-dyspeptic Pills, to the entire confidence of that public. My experience of the good effects of these Pills, for two years past, satisfies me of their eminent value, particularly in aiding impaired digestion, and warding off bilious attacks. Having been for a long time subject to the annual recurrence of such attacks, I was in the habit of resorting for security against them, and with very partial success, to a liberal use of Calomel or Blue Pill. But since my acquaintance with the Anti-dyspeptic Pills of Dr. Beckwith, I have been in the first instance relieved, and have not been under the necessity of using Mercury in any form, besides being wholly exempt from bilious attacks. Several members of my family are experiencing the same beneficial effects.

The above PILLS are for sale in Newport, by R. J. TAYLOR, Agent.

Newport, Dec. 18.

Commissioners' and Executor's Notice.

THE subscribers having been appointed by the Hon. Court of Probate of the Town of Portsmouth Commissioners to receive and examine the claims against the estate of

RHODA Sisson.

late of Portsmouth single woman dec. and six months from this date being allowed by said Court for that purpose, we will meet at the late residence of the deceased on the 1st Saturday of February, at 2 o'clock, P. M. to receive and examine the several claims of the creditors of said estate.

THO'S COVY,
WM. Sisson, } Commrs
SAMUEL Sisson }

All persons indebted to said estate are requested to make immediate payment to CATHERINE T. METCHEL, Est'r's.

Portsmouth, Aug. 8.

PARIS Chene Gingham, a new and beautiful article, for sale at No. 132

Medicines.

A Safe and Certain Cure for SALT RHEUM.

In consequence of the increased demand for Trufant's Compound for cure of Salt Rheum, &c. it is evident that base attempts have been made, and are now making, to imitate the article, and

fringe upon his right. He obtained Letters Patent three years since, both for the preparation and name; and all persons are hereby cautioned against infringing upon his right, guaranteed by said Patent, under the severest penalties of the law. Remember the penalty lies against the seller as well as the maker of the article. Never buy it unless it has the written, and written signature of the inventor. The ointment is in tin boxes with the letters "W. B. TRUFANT Patent, Bath, Me." stamped on the cover, all others must be false. That the above medicine is worthy of confidence, is evident from the fact (notwithstanding its opposition) more than

TWELVE THOUSAND

packages have been sold within a short time, giving very general satisfaction where faithfully applied. In fact the continual and almost daily instances of its success which have occurred in this and other States, justifies the proprietor in submitting it with increased confidence to the public generally. This remedy is recommended, in addition to Salt Rheum, as good for Ring Worm—Scald Head—Shingles—Leprosy—Piles—Itch—Pimples—and especially so for the Jackson or Barber's Itch. As man is heir to humors of a thousand names the ointment itself is frequently used with entire success. Price 50 cts. The internal application is composed of 12 different ingredients, entirely vegetable, and is esteemed highly as a safe and wholesome drink, for persons generally; particularly in the spring season. Price 50 cts. Numerous certificates from distinguished physicians, clergymen and other professional men, from this and other States are in possession of the proprietor, which might be subjoined if necessary. A word to the wise is sufficient.

The undersigned inhabitants of Bath certify that we have used the medicine prepared by William B. Trufant as a remedy for Salt Rheum, and have found it the best we have ever known; and having no doubt that it is a valuable discovery take the liberty to recommend it to all who are afflicted with that inveterate malady.

Daniel Marshon, Nath'l Swaye,
Thomas Donnel, William Gardiner,
Ewell Robinson, Jesse Russell,
A. L. Stimpson, A. W. Turner,
James Hamilton, Aaron Donnell,
Henry C. Donnell, Martin Anderson,
Thos. P. L. Webb, Elias Higgins,
Luke Lambard, H. B. Webb, Jr.

Prepared and sold by the subscriber at his store in Water St. Bath, Maine.

Price—One dollar, with full directions. All letters from abroad must be Post paid.

WM. B. TRUFANT.

For sale in Newport by my agent, C. N. TILLEY, No 142, Thames street.

Oct 23.

HEALTH AND STRENGTH

S. O. RICHARDSON'S Sherry Wine Bitters.

ARE the only safe remedy for Dyspepsia and Jaundice that has ever been discovered—and their general use for 33 years, with recommendations from the most eminent of the Medical Faculty, and editorial notices from the Boston Morning Post, Daily Mail, Plymouth Memorial, Barnstable Patriot, Essex Banner, Lowell Patriot, Bunker Hill Aurora, Portsmouth Gazette, Dover Gazette, Northern Star, Lincoln Telegraph, N. Y. Evening Signal, &c. must assure the afflicted that they possess wonderful merit.

They give life, elasticity and vigor, to the viscera, promote the peristaltic action, cleanse the stomach and bowels from unhealthy accumulations, and purify and enliven the blood in the most thorough and effectual manner.

They are the most certain remedy for all those prevalent Diseases called by dyspepsia, Jaundice, Liver Complaints, Heartburn, Dizziness, Headache, Wandering or settled pains, Sinking faintness, Sour stomach, loss of appetite, Weakness of the limbs, Nervous debility, Constiveness, piles, and all diseases caused by an unhealthy state of the stomach & bowels.

They are the unrivaled and efficacious compound of a European physician, and graduate of the New Hampshire Medical College, who has made the study of Medicine his profession.

Being composed entirely of vegetables, they are of such a nature that they may be taken, for any length of time by invalids of any age, without injuring the system or exposing it to take cold.

Orders from Agents, merchants, traders, apothecaries and dealers in medicines, will be punctually attended to, and sent to any part of the country, safely packed in boxes.

A liberal discount will be allowed on the sale for sale, wholesale and retail, at the Doctor's Office, 15 Hanover-street Boston, and in most Towns in the New-England States.

PRICE 15 CENTS per Bottle—50 Cents per paper.

For sale in Newport, by R. J. Taylor

John Easton, S. Sterne, G. Knowles, jun. and J. J. Allan—and by J. Headley, in Portsmouth.

Newport, May 1.

Sea-Baths on the Long-Wharf,

EVERY Day, [Sundays excepted.]

Warm, Cold, and Shower Baths. Also, Medicated Vapor or Steam Bath—These Baths not only impart agreeable sensations to the mind, but keep the skin diaphanous and clear, and the body healthy, removing the dead particles of the cuticula, causing the blood to circulate freely, lighting up a fresh and healthy glow, in the most salutary countenance. June 25.] E. TRAVETT.

ALBANY ALE.—Pale and Amber Ale, of superior quality, in barrels and half barrels, just received and for sale by

Jan. 22. T. STACY JR.

Medicines.

THE MOST HIGHLY APPROVED MEDICINE NOW IN GENERAL USE FOR

COUGHS, COLDS, AND all diseases of the Lungs.

THE VEGETABLE PULMONARY BALM is believed to be deservedly the most popular Medicine ever known in America, for coughs, colds, asthma or phthisis consumption, whooping cough, and Pulmonary affections of every kind.

The Vegetable Pulmonary Balm has been very extensively used for about 15 years; and its reputation has been constantly increasing. So universally popular has this article become that it may now be considered as a standard article in a large part of the United States and British Provinces. Many families keep it constantly by them, considering it the most safe as well as certain remedy for the above complaints. The Proprietors have received, and are receiving numerous recommendations from many of our best Physicians, who make use of it in their practice. The names of a few individuals who have given their testimony in favor of this article, are here subjoined, and for a more full account see the envelope to the bottle.

Amory Hunting, Dr. Samuel Morrill
Dr. Truman Abell, Timothy Baylie,
Jerre Ellsworth, Albert Guild.
CERTIFICATES.

From Dr. Thomas Brown.
Years Lowe & Reed, Gent.—The Vegetable Pulmonary Balm, has been extensively used, in the section of the country where I reside, for several years past, and has justly acquired a high reputation in consumptive complaints. So far as my knowledge extends it has never disappointed the reasonable expectation of those who have used it.

THOMAS BROWN, M. D.

Concord, N. H. May 11, 1831.

Messrs Reed, Wing & Cutler—Gentlemen—

I feel it a duty I owe the public, and especially to hundreds of my fellow beings who are now suffering under different diseases of the lungs, to give you a statement of the good effects I have experienced from the use of the Vegetable Pulmonary Balm. Having from my youth up been troubled with different complaints of the lungs, such as spitting of blood, a dry troublesome cough, frequent hoarseness, with severe fits of coughing, and indeed all the symptoms of consumption, and from time to time I have consulted several eminent Physicians, and have taken much medicine, but I received little or no relief, and at last they told me there was no help for me; that my case was beyond the reach of their medicines. In the spring of 1827 I was advised by a friend to try the Vegetable Pulmonary Balm. I obtained two bottles, and on trial I was surprised to find so sudden and effectual relief which it gave me; and after using it about 5 weeks all my complaints were entirely removed, and I was restored to good health. Since that time I have kept it constantly by me, in case of the appearance of any of the above complaints. I have known a large number of cases where all other medicines have failed of affording any relief. The Balm was at length resorted to, and speedily effected a cure. I would therefore recommend to every person that has any of the above complaints, on their first appearance to take the Vegetable Pulmonary Balm, which they will find a safe, convenient and positive cure. Respect yours,

T. P. MERRIAM.

New Bedford, Mass. July 30, 1831.

Counterfeits, Beware of Imposition!

Each genuine bottle is enclosed in a blue wrapper, on which is a yellow label, signed by Wm. JON'S CUTLER. None other can be genuine of a later date than December 1829. The Signature of Sampson Reed, will be continued for a short time.

The great celebrity of the Vegetable Pulmonary Balm has been the cause of attempts, to introduce spurious articles which by partially assuming the name of the genuine, are calculated to mislead and deceive the public. Among these mixtures are "Carter's Compound Pulmonary Balm," "American Pulmonary Balm," "Vegetable Pulmonary Balm," "Pulmonary Balm," and others. Purchasers should enquire for the true article by its whole name—The Vegetable Pulmonary Balm, and see that it has the marks and signatures of the genuine. Each bottle and seal is stamped Vegetables Pulmonary Balm.

For sale by REED, WING & CUTLER, (late Lowe & Reed) wholesale dealers in Drugs, Medicines, Paints and Dye Stuffs, No. 54, Chatham Street, Boston, and by Druggists and country merchants generally in New-England, and in the principal places throughout the United States and British Provinces.—Price 50 cents. September 4, 1831.

The above Balm, is for sale in Newport, by R. J. TAYLOR, Agent Newport September 4, 1831.

NEW APOTHECARY'S SHOP

Sign of the "Good Samaritan,"

NO 92 Thames Street.

JUST RECEIVED.

From Boston an extensive addition of

Medicine and Dye Stuffs.

French Scented Magnesia,

Sir James Murray's Fluid Magnesia,

Wells, Linns, & Sherman's Plasters,

Tooth Ache Drops & Quosote,

Macassar, Buffalo, Bears, & Antique

Oil; Essence of Rose,

German, French & American Cologne,

Lavender and Orange Flower water,

Doubled Distilled Rose Water,

French Lotion for chapped hands.

Cold Cream and Lip Salve,

Perfumed Toilet Balls,

Genuine Winsor, and other soaps,

Edes, Kidders, & Paysons Indelible

ink.

Superior Red, black, and blue Ink.

Cough Candy, &c. &c.

Ground Logwood, Nicaragua, Fustic,

and Redwood.

ALSO, Medicine Chests, for Families,

or Vessels, and a general assortment of

Medicine, warranted of the first quality.—

For sale as above.

CHARLES COTTON.

Newport Jan. 29. 1832.

SAMUEL W. BUTLER,

M. D. and SURGEON,

HAS RECENTLY OPENED HIS OFFICE, 62

THAMES STREET, where he can be found

at all times.

MEDICINES

of all kinds at 62 Thames street.

Newport, May 14, 1832.—1y

Miscellaneous.

THE subscribers have received a large supply of CANVAS CARPETS, of all widths, and at a very low price. This article is fast getting into use, and proves to be a cheap as well as a desirable covering for entries, dining rooms, &c. &c.

Also—on Monday next, a large addition will be made to our present stock of INGRAIN CARPETS, of all qualities, and as cheap as can be bought in any market. As usual, all carpets are cut free of charge and warranted to match.

WM. C. COZZENS & CO.

April 30.

BIRD SEED.—A fresh lot of every kind just received and for sale at the Confectionary and Variety Store of T. STACY JR.

Also for sale, Bird Cages, Glasses, and Bird Books. [Jan 22]

5,000 ROLLS

French Paper Hangings,

New and Elegant Patterns.

Borders, Chimney-board Papers, &c.

Imported from France this Spring, and are offered for sale at the lowest possible prices.

ALSO,—Band Boxes,

of a superior quality at wholesale and retail at

at 22 BROAD STREET, by

M. FREEBORN.

April 2.

A further supply of Paper Hangings is expected from France in a few days.

JUST LANDED.

200 CASKS fresh "Birds eye"

LIME, every Cask of which

will be warranted to be well filled

and to contain the best quality of Lime.

For sale by PECKHAM, BULL & CO.

Newport, May 7.

FOR SALE OR TO LET.

TWO Second Hand Piano Forts, at

the Confectionary store of

June 11.] T. STACY JR.

Fence Lumber.

A FIRST rate assortment of every

description, for sale by

PECKHAM, BULL & CO.

Feb. 26.—11.

Hams Smoked.

THE subscriber has erected a brick

smoke house in the rear of his

house and store No. 100, Thames street,

where he will smoke Hams, in prime order,

at the customary prices.

Dec. 11. J. W. DAVIS.

NOTICE.

THE SUBSCRIBER is in want of

good Liquor barrels, and will continue

to receive them through the season.

Grocers and Shopkeepers having the same to dispose of can always receive

the full market value, and depend upon

having them regularly called for.

N. E. Rum will be kept on hand and

for sale at the distillery as heretofore or

at my counting room at the lumber yard.

HENRY BULL.

Nov. 13, 1841.

SAVINGS' BANK.

AT a meeting of the Corporation of the

Savings' Bank, held July 14th, 1832,

the following named gentlemen were chosen Directors of the Institution for the ensuing year,

viz:—George Engle, S. T. Northam, D. Melville, Job Sherman, Isaac Gould, N. Sweet, R. B. Cranston, John Stevens, G. Bowen, W. J. Tilley, Adam S. Coe, S. Brown, R. P. Lee, G. C. Mason, B. Finch, Edwin Wilbur, Wm. Sherman, John V. Hammett, C. E. Hammett, B. H. Ailman, B. Marsh, Jun. T. G. Brown, Wm. C. Cozzens, Josiah S. Munro and Benj. H. Tisdale.

And at a subsequent meeting of the Directors on the same day, the following Officers were chosen for the ensuing year:—George Engle, President; Charles Gyles, Treasurer; and B. B. HOWLAND, Sec'y.

Newport, July 16.

FIGS.

White FIGS a first rate article

Oranges, Lemons, Peaches, &c.

at T. STACY JR'S Confectionary and

variety store. March, 12.

PERFUMERY.

A Great variety just received and

for sale at the Variety Store of

Jan. 29. T. STACY, JR.

150 CASKS fresh Eastern

Lime, for sale by

PECKHAM, BULL & CO.

Feb. 26.—11.

Harvey Sessions

HAS a complete assortment of